

REMARKS

Reconsideration of the subject application is requested in view of the foregoing amendments and the following remarks. Claims 1-6 are pending in the application, with claim 1 being independent.

Claim 1 has been objected to as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. This objection is traversed. Applicants submit that the original specification clearly defines the term “holder.” For example, paragraph [0014] describes a “holder for holding a patient support unit supporting a patient about to undergo an NMR procedure, and for providing, in conjunction with shielding provided by an NMR magnet, RF shielding for the procedure. . . . In embodiments, the holder may comprise a canopy and a bottom portion such that when the canopy is placed over the bottom portion, a radio-opaque enclosure . . . is formed around the patient support unit.” Paragraph [0033] further states that the term holder “refers to a member that supports, and (in some embodiments) surrounds, a patient support unit, and in embodiments of the invention may comprise a bottom portion, a canopy, a patient end cap, and a base, as described in more detail below with reference to FIGS. 1, 1A, 1B and 1C.” Applicants submit that the meaning of “holder” as recited in the claims is clear under 35 U.S.C. §112 and that the objection to claim 1 on the basis of indefiniteness cannot properly be maintained.

Claims 1-6 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,735,278 (“the Hoult patent”). The Hoult patent, which relates to a surgical procedure with magnetic resonance imaging, discloses RF shielding for a magnet 14 in the following arrangement: a layer 71 is applied on the inside of a bore 21 of the magnet 14, covering the whole of the inside surface of the bore; an electrically conductive fabric bag 72 wraps around a lower part of a patient; and a curtain 75 of electrically conducting fabric is suspended over the open mouth of the magnet 14 at the end opposite to the patient (see Fig. 8).

The Examiner has taken the position that the magnet 14, a table top 44, and the electrically conductive fabric bag 72 of the Hoult patent together form “an apparatus for use in RF shielding, including a holder with RF shielding and configured for joining a magnet.”

However, the Hoult patent does not teach or suggest that the fabric bag 72 can hold or support a patient support unit, in distinct contrast to the “holder” of the subject invention. Moreover, the fabric bag 72 is not “configured for adjoining a magnet,” but may only be electrically connected to a “suitable frame element” on the magnet 14 by a series of straps 74. Thus, the fabric bag 72 does not meet the limitations of the claimed invention.

The Examiner has further taken the position that with the disclosure of the layer 71 and the fabric bag 72, the Hoult patent teaches a “magnet comprising magnet-RF-shielding, such that when the holder is adjoined to the magnet, the RF shielding of the holder and the magnet-RF-shielding form a substantially complete RF shield.” However, the layer 71 and the fabric bag 72 do not form a substantially complete RF shield. As shown in Fig. 8 of the Hoult patent, any RF shielding formed solely by the layer 71 and the fabric bag 72 would have at least two substantial gaps.

Further, according to the Hoult patent, the magnet 14 is “outside” the RF shield formed in part by the layer 71. The layer 71 may be applied to the inside of the bore 21, but the magnet 14 *itself* does not provide a portion of the RF shielding. For this reason as well, the Hoult patent does not teach or suggest the limitation of the present invention that the magnet-RF-shielding and the RF shielding of the holder form a substantially complete RF shield.

In this regard, the teaching of Hoult patent is similar to the teaching of U.S. Patent No. 4,613,820 (“the Edelstein patent”), which is of record in this application, and which the Examiner found not to anticipate or render obvious the pending claims.

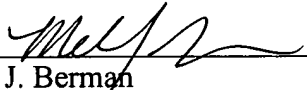
The Edelstein patent discloses a system that includes a magnet 11 and a shield member 16 extending through the bore of the magnet 11. Applicants previously presented the argument that the magnet 11 of the Edelstein patent is “outside” an RF shield formed in part by a shielded room 10 and the shield member 16. Thus, the magnet itself does not provide a portion of the RF shielding of the system of the Edelstein patent. Applicants showed that the Edelstein patent fails to teach or suggest at least that when a holder is adjoined to a magnet, RF shielding of the holder and magnet-RF-shielding form a substantially complete RF shield.

For all of the reasons discussed above, independent claim 1 is patentable over the Hoult patent. Applicants thus submit that the §102 rejection of the claims cannot properly be maintained. The dependent claims are also patentable by reason of their dependency from claim 1 and further due to the additional features that they recite.

In view of the above, the subject application is in condition for allowance. Favorable consideration and passage to issue of the application are respectfully requested.

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Respectfully submitted,

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